

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)
Plaintiff,) **ORDER**
vs.)
Medora Gabriel Perry,)
Defendant.)
Case No. 1:21-cr-178

On August 23, 2022, the court issued an order releasing defendant to the Silver Creek Recovery Center (“Silver Creek”) in Watford City, North Dakota, with the understanding that she was to surrender to the United States Marshal in Bismarck and return to custody if she was discharged or terminated from Silver Creek’s inpatient treatment program. (Doc. No. 207).

On September 30, 2022, defendant filed a motion requesting the court to amend its August 23, 2022, order to permit her to reside at Tied for Second, a sober living facility in located in Bismarck. According to defendant, she “has been discharged from Silver Creek treatment for reaching max benefits.” (Doc. No. 230). Advising that she has been accepted by Tied for Second and can immediately move into its facility, she requests the court to expedite its consideration of her request.

The court, in consultation with the Pretrial Services office, is not presently inclined to approve defendant's placement at Tied for Second. First, defendant has yet to follow through with the instructions she was given by the court. The Pretrial Services Office advises that defendant was discharged from Silver Creek on September 28, 2022. Following her discharge from Silver Creek, defendant did not surrender to the United States Marshal as required by this court's August 23, 2022,

order. It is unclear where she has been residing since her discharge from Silver Creek.

Second, the court is not persuaded that a placement of defendant at a sober living facility is appropriate under the circumstances. Defendant was released to the Bismarck Transition Center on May 25, 2022. (Doc. No. 156). The court remanded her back into custody a little more than two months later after she violated her release conditions. (Doc. Nos. 190-195, 203). The court subsequently gave her a second chance and released her to Silver Creek for treatment. (Doc. No. 207). She has now been discharged from Silver Creek not for successful completion of its treatment programming but due to its assessment that she will not benefit from further treatment. Given her track record while on release, it appears at this point that she requires a level of structure and supervision that Tied for Second is unlikely to provide.

Accordingly, defendant's motion (Doc. No. 230) is **DENIED**. Defendant shall immediately surrender to the United States Marshal in Bismarck with the understanding that she shall be detained pending further order.

IT IS SO ORDERED.

Dated this 30th day of September, 2022.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court